

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND	§	
COMPOUNDING	§	
PHARMACY, INC. PRODUCTS	§	
LIABILITY	§	MDL No. 13-2419
LITIGATION	§	Dkt. No 1:13-md-2419 (RWZ)
	§	
THIS DOCUMENT RELATES TO:	§	
	§	
All Cases Against the Saint Thomas	§	
Entities		

**SAINT THOMAS ENTITIES' RESPONSE TO PLAINTIFFS' STEERING
COMMITTEE'S MOTION FOR LEAVE TO FILE MOTION FOR PARTIAL
SUMMARY JUDGMENT REGARDING COMPARATIVE FAULT DEFENSES
ATTRIBUTING FAULT TO GOVERNMENTAL ENTITIES**

The Saint Thomas Entities¹ file this response to the Plaintiffs' Steering Committee's ("PSC") *Motion for Leave to File Motion for Partial Summary Judgment Regarding Comparative Fault Defenses Attributing Fault to Governmental Entities* (Docket #2862) ("Motion for Leave").

The PSC seeks leave to file a motion for partial summary judgment, and the Saint Thomas Entities have no opposition to the relief sought—although they disagree with the PSC's representations in the Motion for Leave that purport to characterize the law relating to the merits of the proposed motion for partial summary judgment. If leave is granted, the Saint Thomas Entities will file a timely opposition to the PSC's motion for partial summary judgment.

¹ Saint Thomas West Hospital, formerly known as St. Thomas Hospital ("Hospital"), Saint Thomas Network ("Network"), and Saint Thomas Health ("Health") (collectively, the "Saint Thomas Entities").

Dated: May 16, 2016

SAINT THOMAS WEST HOSPITAL,
FORMERLY KNOWN AS ST. THOMAS
HOSPITAL, SAINT THOMAS
NETWORK, AND SAINT THOMAS
HEALTH

By their attorneys,
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CERTIFICATE OF SERVICE

This certifies that a true and accurate copy of the foregoing was served on all parties of record by virtue of the Court's electronic filing system this 16th day of May, 2016.

/s/ Sarah P. Kelly
SARAH P. KELLY